



**Project title:**

An Amendment Changing Maximum Building Heights in the Metro Everett Subarea Plan, Amending Section 1 of Ordinance 3613-18 and Amending Maximum Building Heights in Metro Everett in the Zoning Code, Amending Ordinance No. 1671-89, as amended by Section 1 of Ordinance No. 3615-18 (EMC 19.20.420.A)

**City Council Agenda Item Cover Sheet**

**Council Bill #** *interoffice use*

CB1912-70

**Agenda dates requested:**

01/08, 01/15, 01/22

Briefing ☒

Proposed action ☒

Consent

Action ☒

Ordinance ☒

Public hearing

☒ Yes ☐ No

**Budget amendment:**

☐ Yes ☒ No

**PowerPoint presentation:**

☒ Yes ☐ No

**Attachments:**

Ordinance

**Department(s) involved:**

Planning

**Contact person:**

David Stalheim

**Phone number:**

425-257-8731

**Email:**

dstalheim@everettwa.gov

**Initialed by:**

Department head

Administration

Council President

**Project:** Ordinance

**Partner/Supplier :**

**Location:** Metro Everett

**Preceding action:** Ord. 3613-18 and Ord. 3615-18 passed on August 29, 2018

**Fund:** n/a

**Fiscal summary statement:**

None

**Project summary statement:**

This is an application to amend the Metro Everett Subarea Plan Height Limits (Figure 26) and the Maximum Building Heights in Chapter 20 of the Zoning Code (Map 20-5) from four (4) floors to six (6) to eight (8) floors on the 2200 block of Everett Ave between McDougall Ave and Rainier Ave. The additional two floors (7-8) are available only through compliance with the city height incentive requirements of Chapter 20 of the Zoning Code.

**Recommendation (exact action requested of Council):**

Adopt the Proposed Ordinance Changing Maximum Building Heights in the Metro Everett Subarea Plan, Amending Section 1 of Ordinance 3613-18 and Amending Maximum Building Heights in Metro Everett in the Zoning Code, Amending Ordinance No. 1671-89, as amended by Section 1 of Ordinance No. 3615-18 (EMC 19.20.420.A)



**ORDINANCE NO. \_\_\_\_\_**

**An Amendment Changing Maximum Building Heights in the Metro Everett Subarea Plan, Amending Section 1 of Ordinance 3613-18 and Amending Maximum Building Heights in Metro Everett in the Zoning Code, Amending Ordinance No. 1671-89, as amended by Section 1 of Ordinance No. 3615-18 (EMC 19.20.420.A)**

**WHEREAS,**

- A.** Dennis Wagner and Kenneth Dayton are the owners of property on the north side of the 2200 block of Everett Avenue between McDougall Ave and Rainier Ave.
- B.** Dennis Wagner and Kenneth Dayton submitted an application to amend the Metro Everett Subarea Plan Height Limits (Figure 26) from four (4) floors to six (6) to eight (8) floors for their property, along with property on the south side of the 2200 block of Everett Ave.
- C.** Dennis Wagner and Kenneth Dayton submitted a concurrent application to amend the Maximum Building Heights in Metro Everett in Chapter 20 of the Zoning Code (Map 20-5), along with property on the south side of the 2200 block of Everett Ave.
- D.** The Planning Commission reviewed the proposed amendments, received public input at a duly advertised public hearing and found that:
  - a.** A Determination of Nonsignificance (DNS) under the State Environmental Policy Act was issued on September 17, 2019 regarding the proposed action.
  - b.** Notice of the application, SEPA determination and public hearing were provided as required by city ordinance and state law.
  - c.** Amendment of the Comprehensive Plan must consider the factors outlined in Chapter 1, Introduction, Section VII.I of the Everett Comprehensive Plan.
  - d.** Amendment of the Zoning Code for must meet the criteria outlined in EMC 19.41.170.C.
  - e.** The Metro Everett Subarea Plan designates this property Urban Mixed on the Land Use Map, and the north side of Everett Avenue in this block is designated as a Transit-Oriented Development (TOD) Street. The Urban Mixed designation is an area where the greatest heights and redevelopment will occur" (LU-1) and the TOD street is where "taller buildings and high floor-to-area (FAR) ratio[s]" should be required (LU-23).

- f. The Urban Design Chapter of the Metro Everett Subarea Plan says “[b]uildings should be designed so that shadows on public spaces, such as parks and plazas, are minimized...[and] height and design standards...minimize the casting of shadows on adjacent residential properties, particularly single-family neighborhoods that border Metro Everett on the north.” (UD-2) The property to the north of this proposal is owned by the Everett School District and is used as an off-street parking area and tennis court, with North Middle School further to the north. A shading analysis indicates that the additional heights would not impact North Middle School, but some minor impacts to residential homes to the northeast might occur with the evening sun.

E. The Planning Commission based on their findings concluded that:

- a. The limitation in heights to four (4) floors along a Transit-Oriented Street was inconsistent with policies to require taller buildings along such streets.
- b. The additional heights allowed by this amendment will not create shadows on public spaces, such as parks and plazas, and the impact to single family homes to the east is minimized.
- c. The proposal promotes the best long-term interests of Everett by promoting development along our transit-oriented streets.

**NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:**

**Section 1.** Section 1 of Ordinance 3613-18, Figure 26 of the Land Use Chapter in the Metro Everett Subarea Plan, is amended as set forth in Exhibit A.

**Section 2.** Ordinance 1671-89, as amended by Section 1 of Ordinance No. 3615-18 (codified at EMC 19.20.420(A)) is amended as set forth in Exhibit B.

**Section 3.** The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers, and any internal references.

**Section 4.** The City Council hereby declares that should any section, paragraph, sentence, clause or phrase of this ordinance be declared invalid for any reason, it is the intent of the City Council that it would have passed all portions of this ordinance independent of the elimination of any such portion as may be declared invalid.

**Section 5.** The enactment of this Ordinance shall not affect any case, proceeding, appeal or other matter currently pending in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this Ordinance.

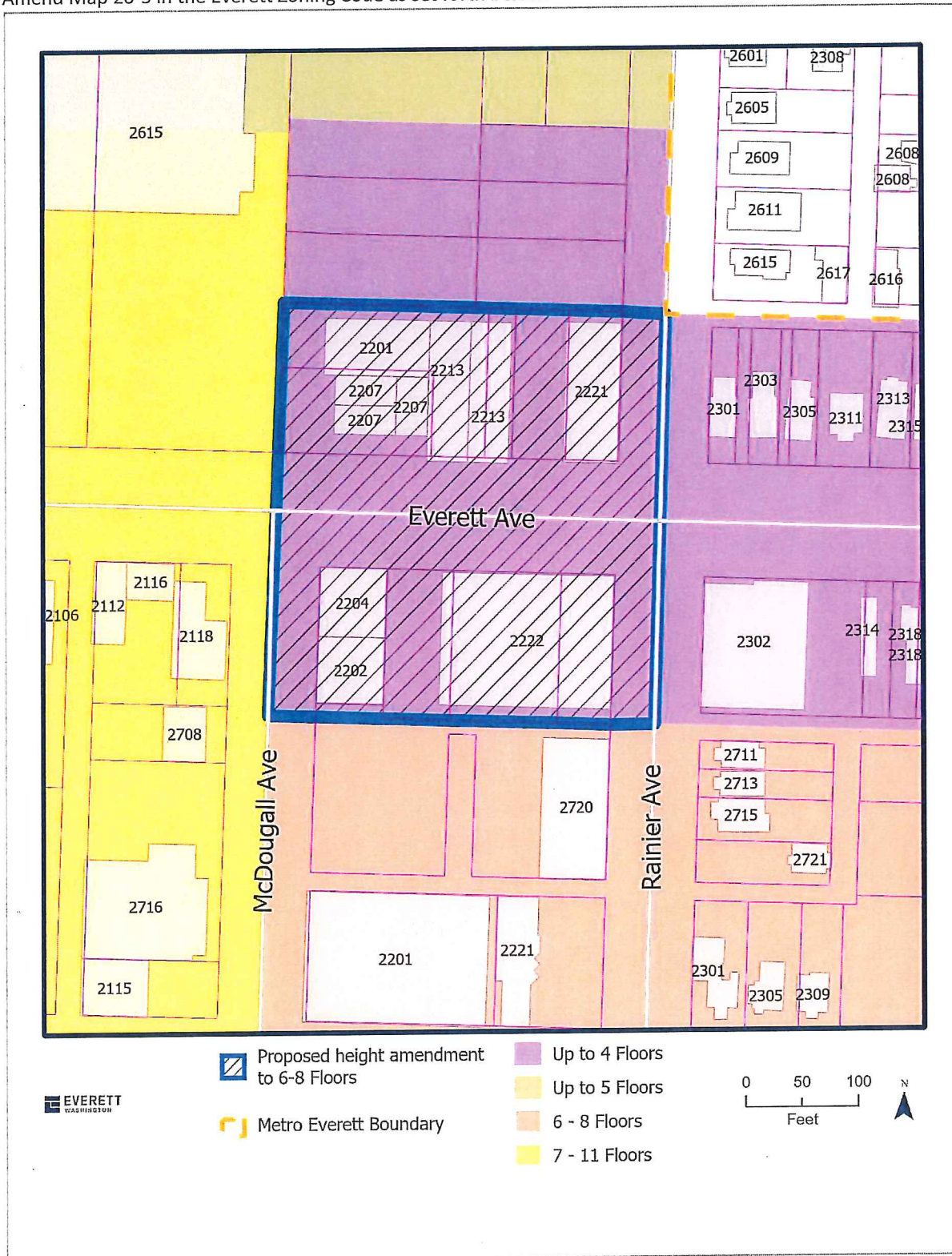


Amend Figure 26 in Chapter 4, Land Use of the Metro Everett Subarea Plan as set forth below.



# Exhibit B

Amend Map 20-5 in the Everett Zoning Code as set forth below.







# Metro Everett Height Map Amendment Dennis Wagner – Kenneth Dayton

David Stalheim, Long Range Planning Manager  
City Council Meeting, January 8, 2020



**EVERETT**  
WASHINGTON

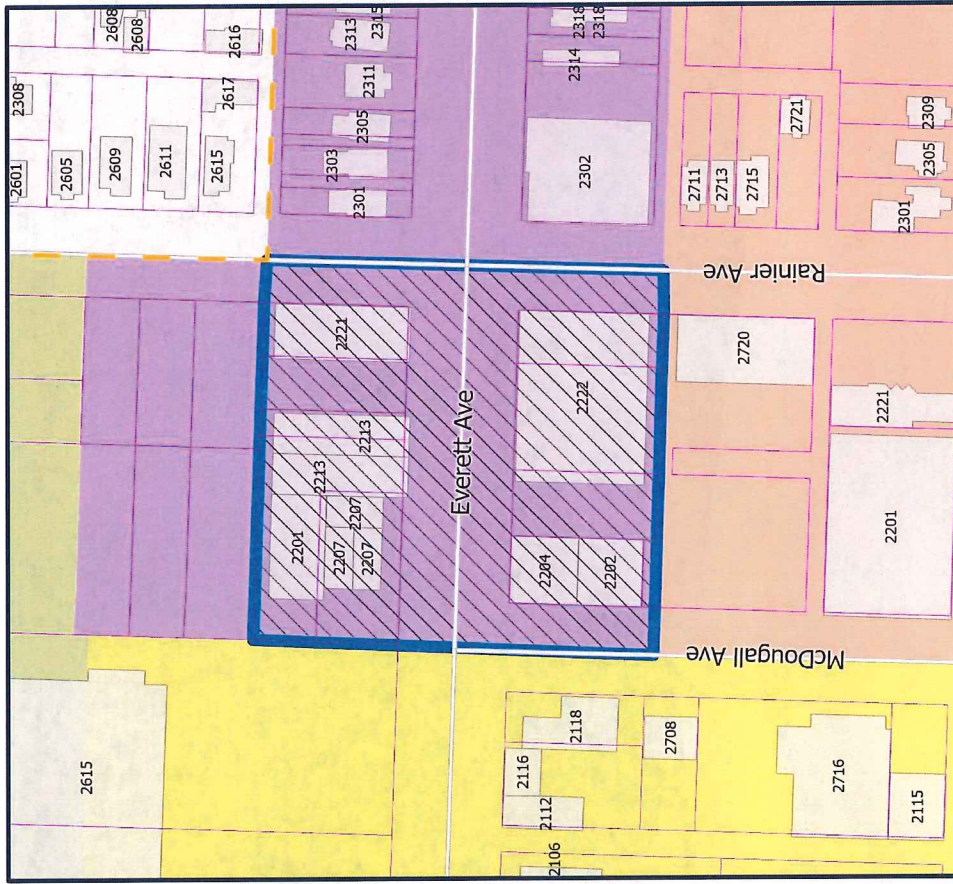


# Request(s)

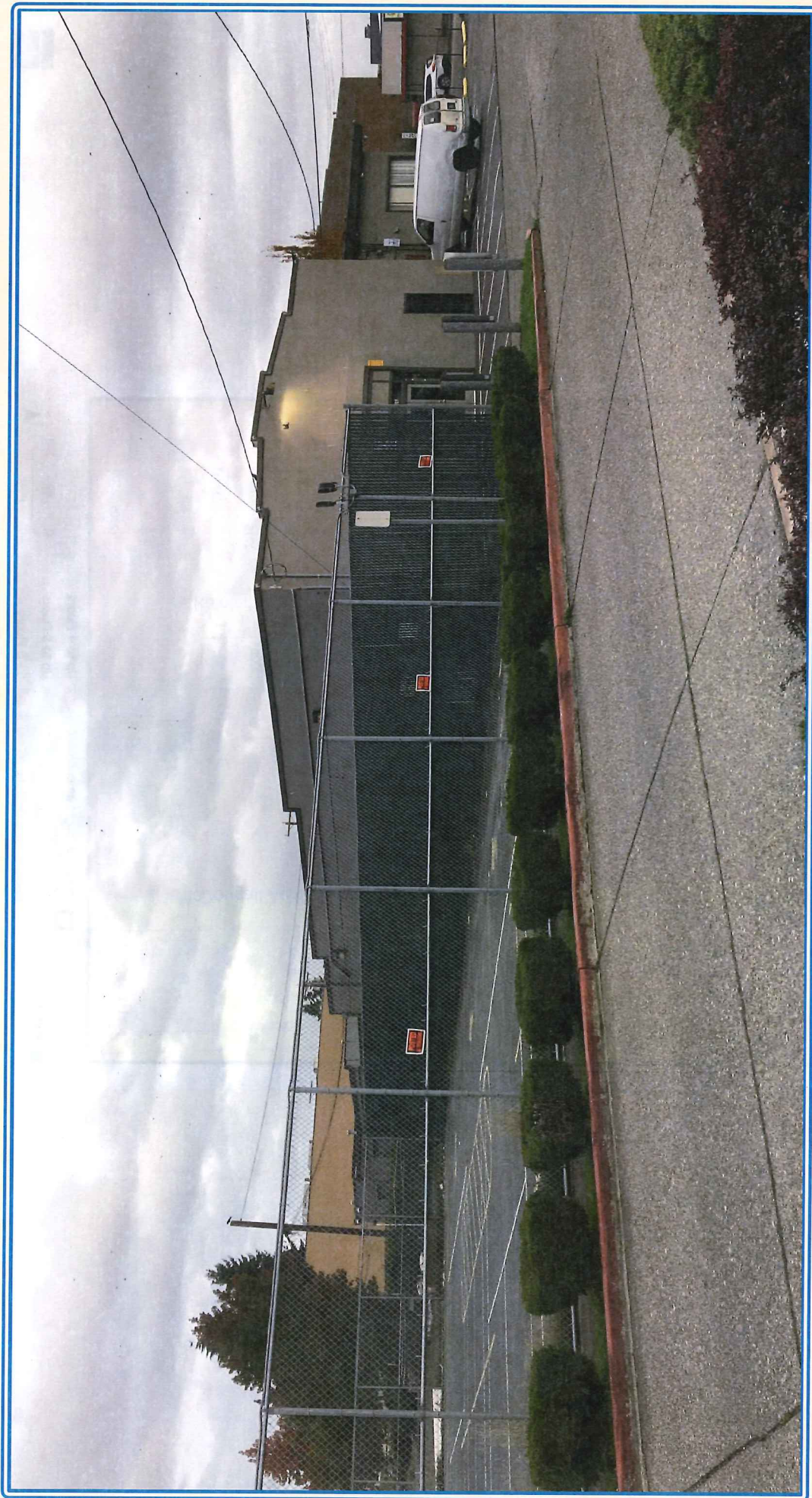
- 1) Amend Metro Everett Subarea Plan Height Limits (Figure 26); and
- 2) Amend the Maximum Building Heights in Metro Everett in Chapter 20 of the Zoning Code (Map 20-5).
  - Changes the current maximum from four (4) floors to six (6) to eight (8) floors.
  - Additional two floors are available only with city height incentive requirements of Chapter 20 of the Zoning Code.



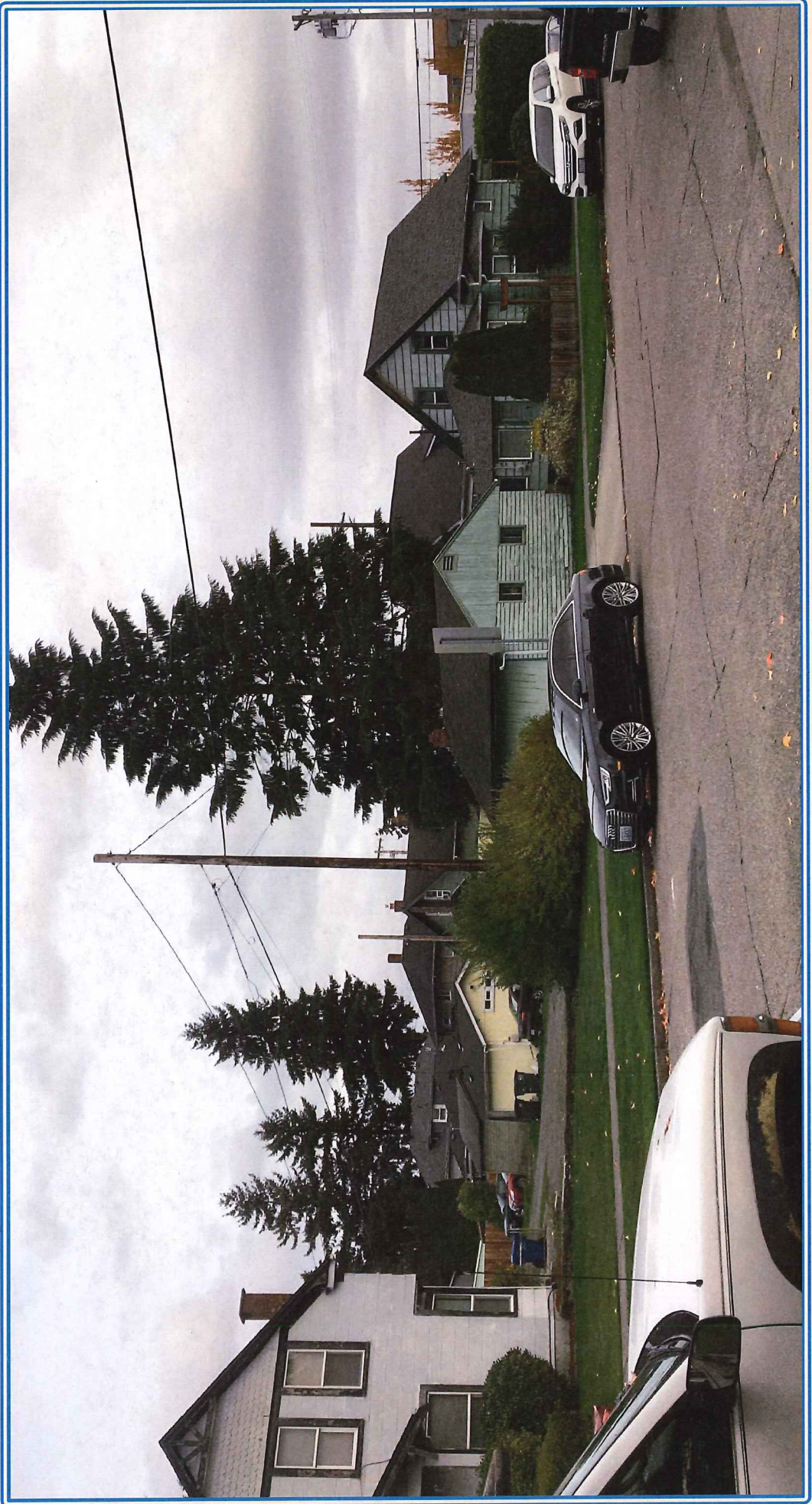




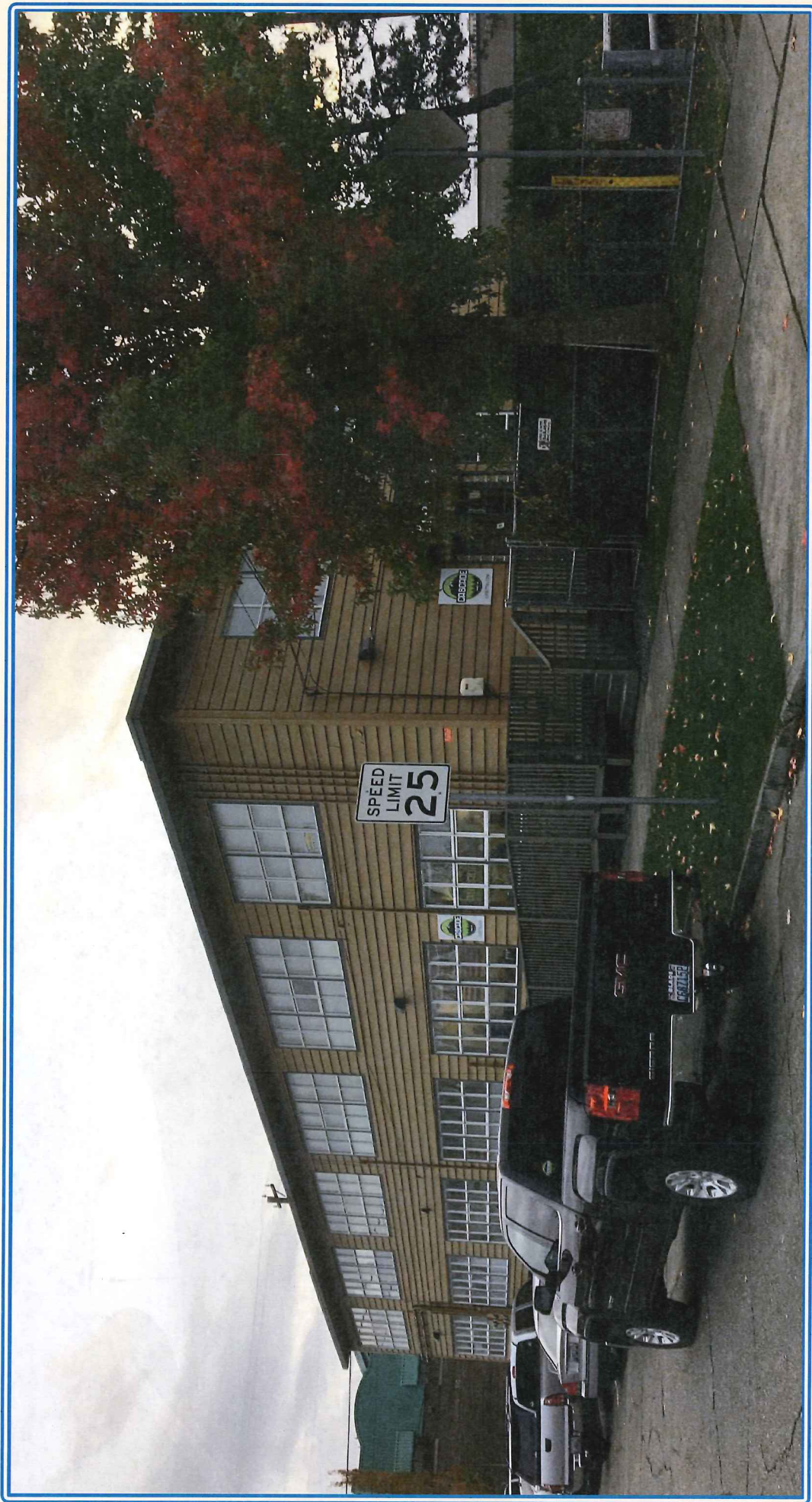




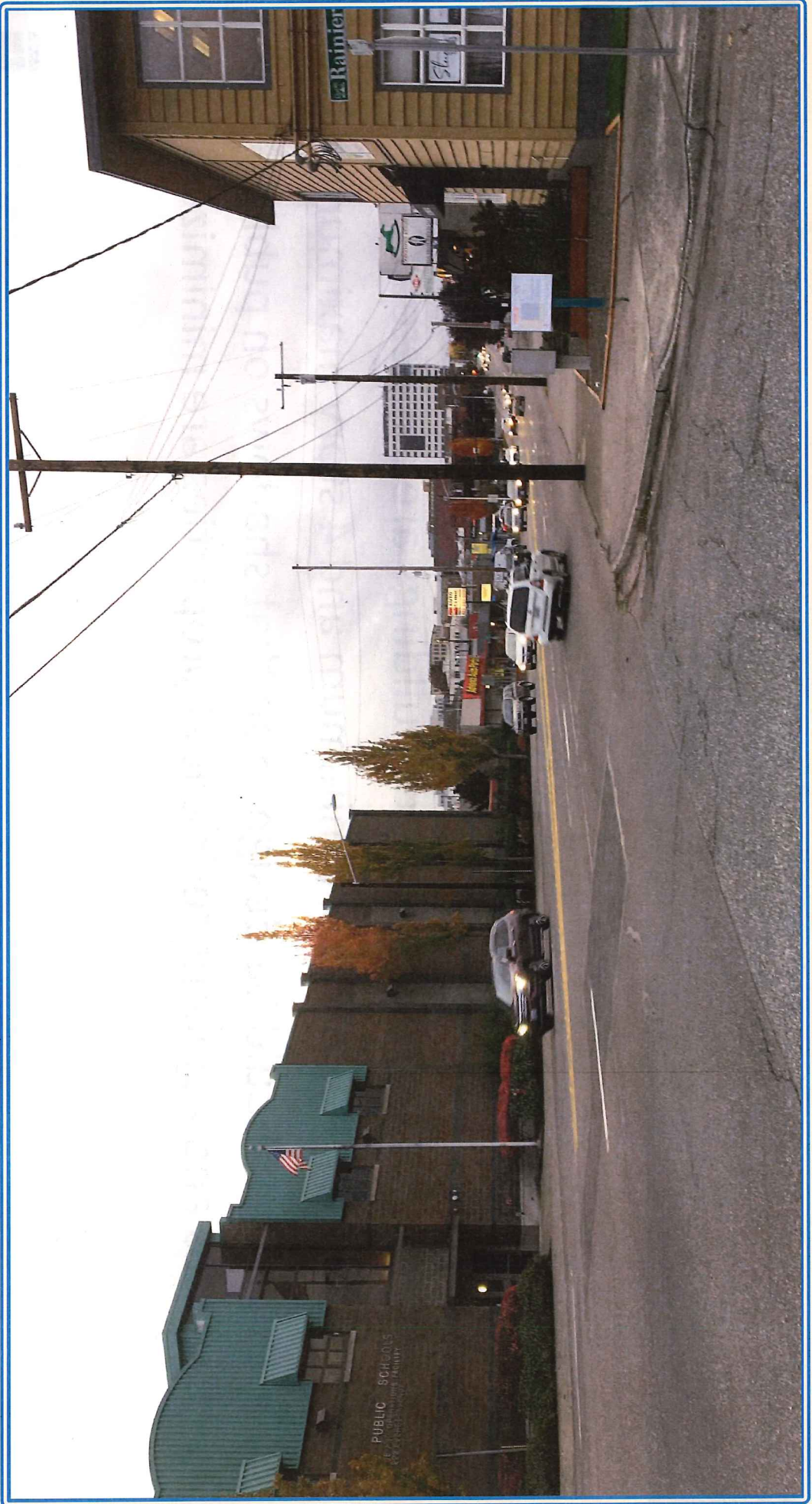










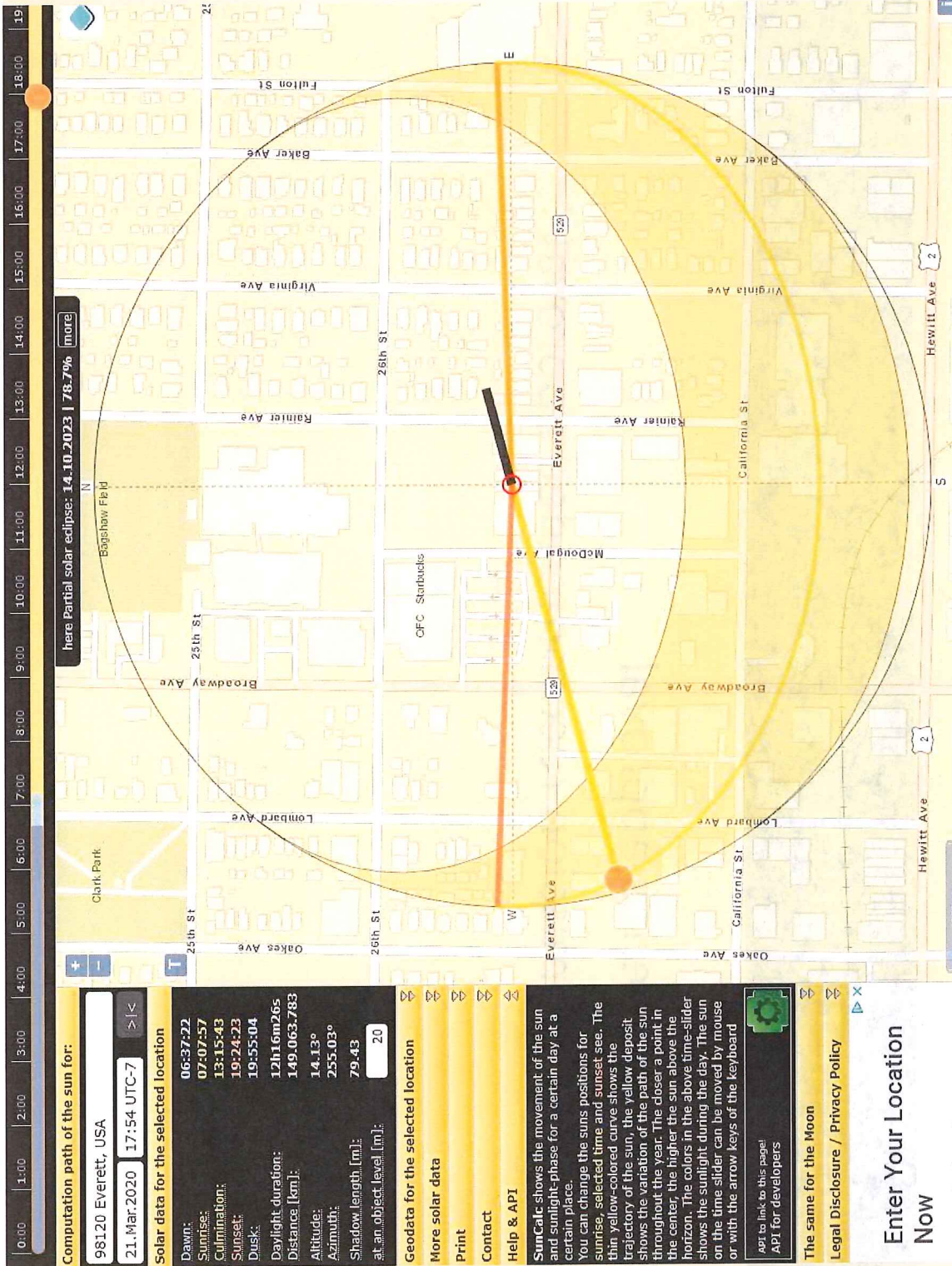


# Review

- North side of Everett Ave is for transit-oriented development (TOD)
- TOD streets are where taller buildings are expected
- North side has a 4 story minimum and 4 story maximum
- Buildings should be designed so that shadows on public spaces and adjacent residential properties are minimized







# Recommendation

- Staff recommends approval
- Planning Commission recommended approval





# QUESTIONS? DISCUSSION



